

**State Bank of India versus State of
Himachal Pradesh and another**

CWP No.13798 of 2025

Item No.D-18

04.09.2025

Present: Mr. Arvind Sharma, Advocate, for the petitioner.

Mr. Pranay Pratap Singh, Additional Advocate General for the respondents-State.

CMP(M) No.21714 of 2025

Present application has been filed by the applicant-Bank for impleading Suresh Kumar as party respondent, in view of the order passed on the earlier date.

2. Counsel for the Bank has contended that the necessary documents were appended along with application under Section 14 of the Securitization & Reconstruction of Financial Assets & Enforcement of Security Interest Act, 2002 and reference is also made to page 75 of the paper book to show that there is construction on 126 square meters, pertaining to the borrower-Suresh Kumar, which is in his exclusive possession, and therefore, the District Magistrate Shimla was not justified in returning the application under Section 14 of SARFAESI Act,

vide communication dated 04.01.2025, Annexure P-3. The least to be done was therefore, issue notice to get the matter clarified, in case, the property was joint.

3. Keeping in view the above, we allow the present application and Sh. Suresh Kumar, S/o late Sh. Chet Ram, R/o village Banaraghati, PO Kerlvi, Tehsil Theog, District Shimla, is impleaded as party respondent No.3. Office to make necessary correction in the Memo of Parties.

4. Amended Memo of Parties annexed with the application is taken on record.

5. The application stands disposed of.

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6. Notice. Mr. Pranay Pratap Singh, learned Additional Advocate General accepts notice on behalf of respondents No. 1 and 2.

7. Issue notice to newly added respondent No.3, returnable in four weeks, on taking steps within a week.

8. Counsel for the State submits that reply on behalf of respondents No. 1 and 2 has been

filed in the office. Office to trace and place the same on record, after removing objection(s), if any.

List the matter on **16th October, 2025**.

(G. S. Sandhawalia)
Chief Justice

4th September, 2025
(himani/Bhardwaj)

(Ranjan Sharma)
Judge